

Trooper slain on Pike; woman militant nabbed

By MIKE ASCOLESE
and BRUCE BAILEY

A state trooper was shot to death and another wounded early yesterday in a gunbattle on the New Jersey Turnpike in East Brunswick that resulted in the capture of a woman member of the Black Liberation Army, an extremist group said to be responsible for killing at least four policemen.

The woman — one of three persons in a car stopped on the Turnpike for a traffic violation — was identified as Joanne Deborah Chesimard, 25, wanted by authorities since 1971 as a member of the BLA, which has claimed responsibility for the slaying of four New York City police officers.

Miss Chesimard was reported in fair condition last night with multiple gunshot wounds in the left shoulder and both arms. A male passenger, Zayd Malik Shakur, former deputy minister of information for the Black Panther Party, was shot to death in the exchange of some 20-30 shots.

The other occupant — believed to have been the driver — escaped on foot and was the subject of an intense manhunt in the Milltown area yesterday.

Trooper Werner Foerster, 35, of Old Bridge, was pronounced dead at Middlesex County General Hospital in New Brunswick of multiple gunshot wounds in the chest. Trooper James Harper, 29, of Freehold, was listed in fair condition at the hospital with a shoulder wound.

The troopers were gunned down on the highway about 12:45 a.m. after one of them flagged down a battered white 1965 car with Vermont license plates for defective tail lights.

Col. David B. Kelly, superintendent of the State Police, gave the following account of the shootout:

Trooper Harper stopped the Pontiac and radioed for a "backup" man, according to standard procedure.

In a few minutes, Trooper Foerster arrived and both state policemen approached the car. The driver of the vehicle lunged at Foerster and the woman fired a shot through the car window, striking Harper in the shoulder.

Shots were fired from inside the car and both troopers emptied their revolvers at the occupants.

Harper staggered "in a state of shock" some 300 yards to the Turnpike Administration Building near

Interchange 9 and reported the shootings.

When other troopers arrived on the scene, they found Foerster dead of multiple gunshot wounds of the chest.

The car was gone and an alarm was immediately broadcast for it.

Some five miles away, Trooper Robert Palentchar spotted the car parked on the

side of the road. As he approached, Palentchar said a man fled into dense woods and he fired several shots in his direction.

Palentchar found the wounded woman beside the car and Shakur, also known as James Costan, 32, formerly of Atlantic City, dead on the rear seat.

All available State Police

were summoned to the scene and were joined by scores of officers from surrounding Middlesex County communities.

Kelly said the area was blocked off and police combed the woods near Milltown walking five yards apart. Other police went to homes in Milltown and other nearby communities and began

a door-to-door search that ended shortly after noon.

There had been a report, according to police, that the hunted man attempted to steal a mail truck, but abandoned the idea.

Police are confident the man did not escape from the immediate area and might

(Please turn to Page 14)



Werner Foerster
Duelled with killer



Joanne Chesimard
Linked to N.Y. slayings



James M. Harper
Staggered to building



Photo by Ted Cowell

Shotgun-armed policeman searches through woods for killer of state trooper

Trooper slain on Pike; woman militant nabbed

(Continued from Page One)

have been wounded by one of the shots fired by Palentchar.

Kelly said two handguns were found near the scene of the shooting and two others near the car in which police found false identifications, birth certificates, Social Security cards and credit cards.

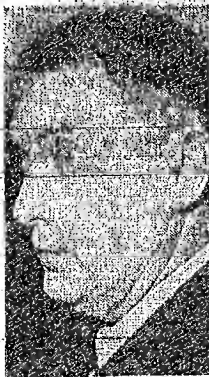
Vermont authorities said the car was registered to a fictitious address in Bennington.

Kelly said the car bore a 1973 New Jersey inspection sticker in addition to a Fairleigh Dickinson University parking tag. The car had traveled 80,000 miles and was in poor condition, the superintendent said.

In New York, police said Miss Chesimard, a former student at the City College of New York, was wanted in connection with the shooting deaths of two patrolmen,



Police sketch
of suspect in shooting



Col. David Kelly
Reconstructs shootout

Gregory Foster and Rocco Laurie in January 1972.

Shakur lived in New York City, according to police, but had many acquaintances in the Atlantic City area where he formerly lived.

Trooper Harper has been on the State Police for seven years. He lives in Freehold. Trooper Foerster, the fa-

ther of a three-year-old boy, was born in Germany and joined the State Police in 1970. He was attached to Troop B in November, 1972. He was described by fellow officers as "a quiet conscientious trooper" whose pronounced German accent was easily distinguishable over the police radio.



Photo by Egil Tomson

Battered white auto from which gunfire erupted and from which one man escaped into woods

The shootout occurred almost seven years to the day of the last fatal shooting of a state policeman on the turnpike. Trooper Anthony Lakia Jr. was shot and killed on May 4, 1966 near Mount Holly. The killer was arrested and subsequently convicted of the murder.

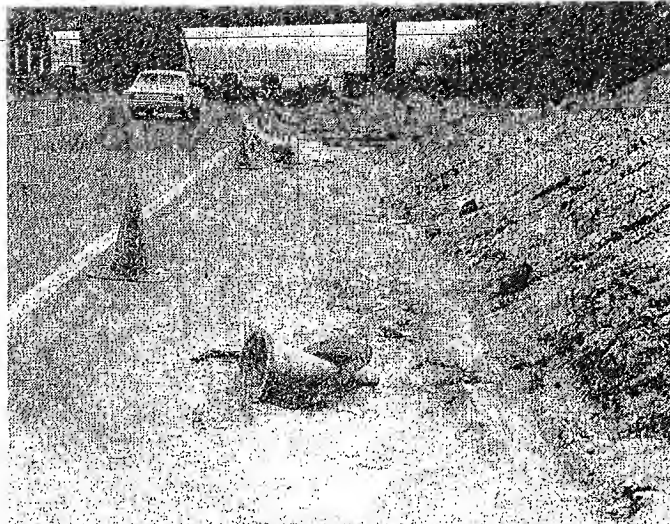


Photo by Dwilgh J. Johnson

Fallen traffic cone marks the spot on the New Jersey Turnpike where the state trooper was slain



Photo by Tom Cowell

A Middlesex County sheriff's officer searches a swampy area near Milltown for traces of the missing suspect with a bloodhound borrowed from the Ocean County Sheriff's Department

FACES MARCH TRIAL IN SLAYING OF TROOPER

Cops surround Chesimard's Jersey return

1.30.76 p13

By LAWRENCE NAGY

Joanne Chesimard, the Black Liberation Army member accused of murdering a state trooper in 1973, was returned to the Middlesex County Jail yesterday amid maximum security.

Dozens of police officers stood guard with automatic rifles and shotguns poised as she was led into the jail.

An armed motorcade of eight police cars arrived in New Brunswick with lights flashing and sirens wailing shortly after 11:30 a.m. The law enforcement agents, led by Sheriff Joseph DeMarino and Sheriff's Officer Paul Pianko, had picked up Chesimard about 90 minutes earlier at the Riker's Island Prison in New York.

Chesimard, 28, her wrists and ankles shackled, was lodged in a special cell constructed for her in 1973.

* * *

She is scheduled to stand trial early in March for the May, 1973, slaying of Trooper Werner Foerster, who was killed in a shootout on the Turnpike in East Brunswick.

Clark Squire, another BLA member, was convicted and sentenced to life in prison in the slaying, but Chesimard's trial was severed when it was discovered during jury selection that she had become pregnant while in custody in New York.

Chesimard has been acquitted three times of charges in New York involving two bank robberies and the kidnaping of a bartender during a holdup.

Some 50 officers from nine law enforcement agencies were involved in the transfer of Chesimard yesterday, reflecting tight security in the wake of last week's breakout attempt at Trenton State Prison which officials suspect was an attempt by the BLA to free Squire.

Sheriff's officers, state troopers and prosecutor's detectives escorted the caravan down the Turnpike after it left New York, where city and Port Authority police had provided security.

The Kennedy Square area in front of the jail entrance

was cleared of traffic by police and parked cars were towed from the scene.

Expressionless and appearing calm, Chesimard was surrounded by police who scanned the area as she was moved several yards from a car to the jail entrance.

Sheriff DeMarino and Pianko hustled the defendant through a basement entrance to the same cell she occupied during the 1974 attempt to try her for murder.

The jury for her trial is expected to be selected in Morris County Superior Court Judge Theodore Appleby will preside

at the trial in New Brunswick.

The trial of Squire was dragged out by jury selection procedures after he contended an impartial jury could not be seated in Middlesex County.

The trial of Chesimard is expected to proceed under the same strict security provisions that were in force when Squire stood trial. Only a limited number of spectators were permitted in the courtroom, and only after being searched for weapons.

Chesimard is also charged with the shooting of Trooper James Harper, who was wounded after he stopped the

car in which Chesimard, Squire and James Costan were riding in the early morning of May 2, 1973.

Harper made his way 200 yards to the State Police headquarters in East Brunswick after the shootout in which Foerster and Costan were killed.

Chesimard, who was shot in the chest and the arm, was captured on the Turnpike about five miles from the scene of the shooting. Squire was picked up by police in a wooded area after an intensive 40-hour manhunt through Middlesex County.

Chesimard guilty, gets life in prison

By LAWRENCE NAGY

Joanne Chesimard was found guilty yesterday and immediately sentenced to life in prison for the slaying of a state trooper during a 1973 gun battle on the Turnpike in East Brunswick.

Chesimard, a self-described black revolutionary, called the seven women and five men on the all-white jury "racists" as eight guilty verdicts were delivered in New Brunswick.

She was convicted on all counts charging her with murdering Trooper Werner Foerster, wounding Trooper James Harper and causing the death of her companion, James Costan.

The jury deliberated more than 21 hours over three days before deciding the fate of Chesimard, who authorities have described as a leader in a now-defunct black militant band dedicated to killing policemen.

She was steadfastly portrayed by her supporters and attorneys as a "warm, sensitive, hopeful young mother, artist and teacher" who was an innocent victim in the shootout.

* * *

"You're racists — yes, you are," Chesimard told the jurors as the court clerk read the verdicts.

Superior Court Judge Theodore Appleby admonished defense lawyer Stuart Ball to "quiet your client." But there was no response from the attorney.

"You are unfair. You abuse the law. I haven't taken part in this trial from the beginning. I knew it was racist, I knew it was unfair," Chesimard said as she glared at the jurors.

"Remove the prisoner," Appleby told court attendants.

"The prisoner will walk away," Chesimard snapped back at the judge as she got up from the table where she sat with her four attorneys.

As Chesimard walked past the jury, several of her supporters stomped out of the courtroom, some shouting obscenities as they left.

"I don't want any part in this lynching," one said.

Appleby excused the jury but chief defense attorney William Kunstler told the judge a "source" informed him that John McGovern, a juror from Jamesburg, violated sequestration twice by leaving the motel in which the panel had been lodged since Feb. 15.

After a sharp exchange between Kunstler and Appleby, the judge said he would refer the matter to the State Attorney General's Office if he received the name of the "informant." Kunstler said the informant was a sheriff's officer.



Joanne Chesimard
'You are unfair'



John J. McGovern, a juror in the Joanne Chesimard murder trial, leaves the Middlesex County courthouse after the guilty verdict.

"It's over and I don't have to put up with arguing with you any more. I'm glad it's over," Appleby told Kunstler referring to the frequent clashes he had from the bench with members of the defense team before and during the nine-week trial.

Middlesex County Sheriff Joseph

(Please turn to Page 1)

Chesimard guilty, gets life term

(Continued from Page One)

DeMarino later called the charge from Kunstler's informant "an out-and-out lie."

The judge then ordered Chesimard brought back into the courtroom. He was interrupted by her as he read the first count of the indictment charging her with the murder of Foerster.

"You don't have to read it over again," Chesimard told the judge.

Appleby then imposed the life sentence which is mandatory in New Jersey in cases in which a defendant has been convicted of the intentional slaying of a police officer.

The judge said he would fix a date for sentencing Chesimard on the remaining counts after he receives a pre-sentencing report on her.

* * *

She was found guilty of four assault charges — including assault with intent to kill — in connection with the wounding of Trooper Harper. In addition to the conviction for Foerster's murder and felony murder in the death of Costan, she was convicted of illegal possession of weapons and the armed robbery of Foerster's service revolver.

During the trial, Edward Barone, Middlesex County first assistant prosecutor, argued Chesimard helped Clark Squire use Foerster's revolver to "execute" the trooper after she was wounded in an exchange of shots with Harper.

Costan was killed in the shootout, which Barone contended Chesimard initiated by wounding Harper in the left shoulder. Squire is serving a life term for Foerster's murder.

Outside the Middlesex County Courthouse, Kunstler called Chesimard "a beautiful and lovely young person condemned to life imprisonment for a crime she did not commit."

"We, like the liberal fools we are, thought there was a fighting chance," the New York attorney said.

Chesimard will appeal the conviction on "scores of points," Kunstler said.



United Press International Photo

William Kunstler, left, and Lewis Myers, defense attorneys for Joanne Chesimard, talk to reporters after the guilty verdict

Chesimard is moved 4.8.77/10 to 'maximum' prison

By LAWRENCE NAGY

Convicted murderer Joanne Chesimard yesterday was transferred from the Clinton Women's Correctional Center to a maximum-security cell in the all-male Yardville facility for "security reasons," according to state prison officials.

But Chesimard's attorney denied that the 29-year-old black activist's presence at Clinton caused security problems and termed the transfer "a deliberate attempt to harass and intimidate her."

A spokesman for State Corrections Commissioner Robert Mulcahy said Chesimard arrived at the maximum-security facility in Mercer County at 11:15 a.m. Chesimard was convicted two weeks ago of aiding in the 1973 execution-style slaying of a state trooper during a gunbattle on the Turnpike in East Brunswick.

Chesimard, who is also known as Assata Shakur, was sentenced to life immediately after the all-white jury announced its verdict in New Brunswick March 25.

* * *

Tightened security at the Clinton facility following Chesimard's arrival March 28 sparked protests from women inmates, who staged a strike to dramatize their objections to the presence of armed, male guards and state troopers.

Chesimard has been linked to the Black Liberation Army (BLA), a militant band described by authorities as dedicated to murdering policemen.

Another reputed BLA member, Clark Squire, is serving a life term in Trenton State Prison for his role in the slaying of Trooper Werner Foerster in the Turnpike gunbattle.

A breakout attempt in January, 1976, at Trenton State Prison was believed by officials to have been a BLA attempt to free Squire. Heavy security surrounded Chesimard's trial and her transfers between penal facilities.

Lewis Myers, one of Chesimard's attorneys during her nine-week trial, contended that there were no threats against Chesimard from inmates at Clinton.

"The only security reason I can imagine is one that had to have been conjured up by the Department of Corrections," Myers said.

* * *

Myers said he was scheduled to see his client at 1 p.m. yesterday but was taken "totally by surprise" when corrections officials told him she had been transferred.

He said officials at Clinton told him they did not know where Chesimard had

been taken and he finally learned of the transfer to Yardville only after he pressed Mulcahy for an answer.

"We're probably going back to court again. Again it's an all-male facility and again it's solitary confinement," Myers said. He was referring to a federal suit brought last year by Chesimard



Joanne Chesimard
In isolation cell

challenging the conditions of her confinement in the Middlesex County Jail, where she was held for more than a year while awaiting trial.

Myers said his client told him prison officials said she would be locked in a small cell "23 hours a day, with two guards always in front of the cell."

Myers said Chesimard told him the women inmates at Clinton "had been very nice to her there."

"She's not allowed to see anybody now. She's in total isolation," Myers charged.

A Corrections Department spokesman said yesterday that Mulcahy on Monday "designated" a section of the Yardville facility as a maximum-security area for women inmates. The spokesman declined to discuss the details of the new arrangement at Yardville, noting that "we just can't talk about security."

Female corrections officers from Clinton will be stationed at Yardville to watch Chesimard, the spokesman said. The female section of Yardville is "separated" from the male sections of the prison, according to the spokesman.

WEATHER

Showers, partial clearing;
tomorrow, sunny and fair

(Details On Page Two)

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Chesimard escapes from Clinton

By STUART MARQUES

3 gunmen 'spring' black revolutionary

Three men armed with .45 caliber revolvers burst into the Clinton reformatory yesterday, briefly held two guards hostage and freed convicted cop-killer Joanne Chesimard in a bold daylight jail-break.

Police said Chesimard, the "soul" of the Black Liberation Army, was spirited out of the prison's maximum-security unit in a jail van.

Authorities said she got into one of two cars waiting near the prison. Police said a woman was at the wheel of one of the getaway cars.

Chesimard, one of the most closely guarded inmates in state history, was serving a life sentence for the May 2, 1973, murder of State Trooper Werner

Foerster on the New Jersey Turnpike in East Brunswick. Trooper James Harper was wounded in the wild gunbattle.

BLA leader Clark Squire was convicted of the murder in 1974 and sentenced to life in Trenton State Prison. In January 1976, Squire and others got hold of a gun and vainly tried to blast their way out of the jail.

Convicted in 1977, Chesimard, 31, has been shifted from jail to jail in an attempt to foil any escape plot. Constantly under heavy guard, she was returned to the Clinton Institution for Women from a federal prison Feb. 20.

State trooper Douglas Gilio of the Flemington station said three black men brandishing handguns freed Chesimard from the prison's top-security South Hall cottage at 3:05 p.m., after checking into the prison as visitors.

Corrections Commissioner William Fauver said one man entered the prison to visit Chesimard shortly before 3 p.m. Soon after, two other men arrived to visit an unidentified inmate, Fauver said. Sources said the men were not searched.

Fauver said the visitors flashed "obviously phony" identification to enter the jail. Following usual procedure, they

were driven to South Hall in a Corrections Department van.

~~Suddenly, the men pulled pistols on a~~ male guard driving the van and forced him inside the cottage, Fauver said.

Authorities said the men led the guard into the visiting area, where Chesimard and her visitor, both brandishing guns, took a woman guard hostage.

Fauver said Chesimard, wearing street clothes, was the only inmate in the visiting area at the time. He said the woman guard was supposed to have been in a glass-enclosed station, but might

have come out for fear the men would shoot the other guard.

"Right now, it's unclear why she came out," Fauver said. "It was probably because one of the guys had a gun to his (the other guard's) head. But she wasn't supposed to come out."

~~Fauver said the guards were hustled~~ into the van, which was driven through an unfenced section of the prison to an employee parking lot at Hunterdon State School for the mentally retarded, a mile and a half away, where two cars waited.

Threatened but not harmed, the guards were ordered to stay in the van as Chesimard and her accomplices escaped.

Trooper Gilio said one of the cars was a white and blue Lincoln, the other a blue

(Please turn to Page 9)



Joanne Chesimard
Serving life term

Chesimard escapes in daring jailbreak

(Continued from Page One)

Comet. Police are unsure which car Chesimard got into and which way it headed. Unconfirmed reports had the car traveling west on Interstate 78. One car bore a New Jersey license plate.

Gilio said police set up roadblocks in nearby towns. State Police helicopters immediately joined the search. All bridges leading into Pennsylvania were checked and bridges and tunnels to New York were notified.

"We've got an all-points bulletin out to surrounding municipalities and nearby states," State Police spokesman Sgt. Joseph Kobus said. "This is an active, top-priority job."

Fauver said an immediate search of the grounds turned up few clues aside from a partial license plate number. He said only visitors on an approved list are allowed inside.

He said the gunmen used names that were on the master list, but he refused to identify them.

"It was definitely a well-planned escape and it's something we've been afraid of for a long time," the commissioner said. "We never really wanted her in Clinton, but no other state wanted her either, for obvious reasons."

State Police Superintendent Clinton Pagano, who supervised the manhunt from inside the prison, said Chesimard — also known as Assata Shakur — had a short, but substantial head start.

"Any head start on a superhighway is a good head start," Pagano said. "We have expected something like this for a long time. This group (the BLA) has made continuing attempts at rescuing its jailed members." He said all cars in the area of the prison were being stopped and searched.

Chesimard had been shifted to various prisons since her arrest in 1973, partly in an attempt to foil any jailbreak plots.

In April of 1978, she was shifted to a federal prison in Alderson, W. Va. But she was sent back to New Jersey in February, when federal officials closed the

maximum-security unit there after the brief escape of a woman who tried to kill former President Gerald Ford.

In addition to serving life for the murder of Trooper Foerster, Chesimard is serving an additional 26 to 33 years for related weapons charges. She was supposed to serve at least 25 years without parole.

At the time of her sentencing on the weapons charges, a Middlesex County assistant prosecutor called her an "animal" who tries to achieve her lofty sounding goals of liberty and justice by "shooting state policemen with their own guns."

Foerster was killed in a gunbattle that erupted after Chesimard's car was pulled over for operating with a faulty tail light. BLA member Zayd Malik Shakur also was killed in the exchange of 20 to 30 bullets.

Attempts late yesterday to reach Chesimard's lawyer, civil rights activist William Kunstler, were unsuccessful.

The escape is sure to spur calls for tighter security at all state prisons and reformatories.

10.12.87 p1

Chesimard discovered in Havana

By MITCHELL SEIDEL

Nearly eight years after her gun-point escape from a Hunterdon County maximum-security prison, Joanne Chesimard, the state's most-wanted fugitive, has surfaced in Cuba.

According to a published report, Chesimard is living as a "political refugee" in Havana, studying for a master's degree in social sciences and raising her 13-year-old daughter, Kakuya.

The fugitive, who took the name Assata Shakur after her conviction for the 1973 New Jersey Turnpike killing of a state trooper, said she broke out of the Clinton Correctional Facility in November 1979 partly because she feared for her life there.

In copyrighted interviews published in the New York newspaper *Newsday*, Chesimard refused to say where she was from the time of the breakout to the summer of 1984, when she arrived in Cuba. She said she still has friends in the United States and is concerned about saying anything that would get them into trouble with the law.

In 1984, State Police Superintendent Col. Clinton Pagano said an informant reported that Chesimard had traveled to the Caribbean to work on setting up a residence in Cuba. That report could not be corroborated, he said.

James Glynn, a spokesman in the Federal Bureau of Investigation's Newark office, said yesterday that the FBI



Joanne Chesimard
Most-wanted fugitive

was aware of the *Newsday* story, but would not comment on it.

"It's an ongoing investigation, and she is still actively being sought, so we can't comment on it," he said.

Glynn said Chesimard is being hunted by the Newark office's Terrorist Task Force.

She is the last of the so-called radical fugitives still at large, not just in New Jersey but nationally, said Glynn.

Pagano also declined to comment

Please turn to Page 6

Chesimard living as 'political refugee' in Havana

Continued from Page One

on the report, said his spokesman, Lt. Thomas Gallagher.

"Col. Pagano is aware of the story, but will not comment until he has had a chance to read it. After he reads it, he will discuss it with (John C.) McGinley," special agent in charge of the FBI's Newark office.

Chesimard said it was unlikely that she would return to the United States, since she would face certain arrest. Besides that, the woman who was once called the "soul" of the Black Liberation Army (BLA) believes her life would be in danger. "There was a shoot-to-kill order on me," she said.

Chesimard added that newspaper reports saying she boasted that she would never be taken alive were false and would have been used to justify killing her if she were captured. "After I escaped, the New Jersey police agencies didn't make any mistakes about letting people know I was wanted dead or alive," she said.

Gallagher specifically declined to respond to Chesimard's allegation about a "shoot-to-kill" order.

FBI, State Police still hunting her 8 years after escape from prison

Chesimard refused to discuss in detail her whereabouts between 1979 and the summer of 1984, when she arrived in Cuba, because, she maintained, there are still remnants of the black, white and Latino underground in the United States willing to help fugitives such as herself.

She implied that she was not in New York during the early 1980s when there were several supposed sightings of her.

Over the years, law enforcement officials have followed a trail that had Chesimard linked to several other radical groups, including the Sam Melville-Jonathan Jackson Unit and persons responsible for the bungled Brink's robbery in Rockland County, N.Y., in 1981.

The BLA was also linked to more than a dozen killings and assaults on police officers in the early 1970s.

Leads in the hunt for Chesimard

came "from all over God's creation," Pagano said in 1984. The only two leads that authorities were certain of were a report that she took refuge in a "safe house" in East Orange shortly after the breakout and later in Pittsburgh, he said.

Chesimard, one of the most closely guarded inmates in state history, was serving a life sentence for the May 2, 1973, murder of State Trooper Werner Foerster and the wounding of Trooper James Harper in East Brunswick when she escaped on Nov. 2, 1979.

Convicted in 1977, Chesimard had been shifted from jail to jail to foil any escape plots. She was sprung when three gunmen posing as visitors briefly held two guards hostage and drove her out of the prison's maximum-security unit in a jail van.

Last week, Chesimard, now 40, laughed at police descriptions of her as the "soul" and "mother hen" of the BLA. "I think this 'soul of the Black Liberation Army' stuff was cooked up by the FBI or the (New York) Daily News," she said.

She declined to discuss any assaults or robberies committed by the BLA. Asked whether she had ever shot at a police officer, offensively or defen-

sively, she turned her eyes away, said "No," and immediately turned to another topic.

While Chesimard would not talk about any connection she had to the terrorist organization, one anonymous former BLA soldier told Newsday that she was "the soul of the group. She was very active, and she was very strong."

Chesimard said she receives her living expenses, including her rent, from the Cuban government while she studies the social sciences in a program sponsored by the Cuban Communist Party.

The interview with Chesimard coincides with the upcoming printing of her book, "Assata: The Autobiography of a Revolutionary," by Lawrence Hill Publishers.

Chesimard, whose thoughts about violent change have not altered, said she continues to believe that blacks must use "armed struggle" as one of many approaches in their quest for a better life in the United States.

"I've never been an American in the sense that I've never benefited from the full rights of its citizens," she said. "I feel I've been a victim of America."

"Basically, where I came from, and where I am from now, is that black people need to struggle on all levels and, at different points in history, one or another level might take precedence," she added. "We need breakfast programs and we need armed struggle."